

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAUL E. STELLY, SR,

No. C 08-01997 CW (PR)

Plaintiff,

ORDER GRANTING IN FORMA
PAUPERIS STATUS

v.

ELAINE TOOTELL, et al.,

Defendants.

Plaintiff's application for in forma pauperis status is
GRANTED. The total filing fee due is \$350.00. The initial partial
filing fee due for Plaintiff at this time is \$1.91. A copy of this
Order and the attached instruction sheet will be sent to Plaintiff,
the Prison Account Trust Office and the Court's Financial Office.

The Court will review Plaintiff's complaint in a separate
written order.

IT IS SO ORDERED.

DATED: 5/20/08



CLAUDIA WILKEN
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 INSTRUCTIONS FOR PAYMENT OF PRISONER'S FILING FEE

4 The prisoner shown as the plaintiff or petitioner on the attached
5 order has filed a civil action in forma pauperis in this court and
6 owes to the court a filing fee. Pursuant to 28 U.S.C. § 1915, the
fee is to be paid as follows:

7 The initial partial filing fee listed on the attached order
8 should be deducted by the prison trust account office from the
9 prisoner's trust account and forwarded to the clerk of the
10 court as the first installment payment on the filing fee.
11 This amount is twenty percent of the greater of (a) the
12 average monthly deposits to the prisoner's account for the 6-
month period immediately preceding the filing of the
complaint/petition or (b) the average monthly balance in the
prisoner's account for the 6-month period immediately
preceding the filing of the complaint/petition.

13 Thereafter, on a monthly basis, 20 percent of the preceding
14 month's income credited to the prisoner's trust account should
15 be deducted and forwarded to the court each time the amount in
the account exceeds ten dollars (\$10.00). The prison trust
account office should continue to do this until the filing fee
has been paid in full.

16 If the prisoner does not have sufficient funds in his/her account
17 to pay the initial partial filing fee, the prison trust account
18 office should forward the available funds, and carry the balance
forward each month until the amount is fully paid.

19 If the prisoner has filed more than one complaint, (s)he is
20 required to pay a filing fee for each case. The trust account
21 office should make the monthly calculations and payments for each
case in which it receives an order granting in forma pauperis and
these instructions.

22 **The prisoner's name and case number must be noted on each**
23 **remittance.** The initial partial filing fee is due within thirty
24 days of the date of the attached order. Checks should be made
payable to Clerk, U.S. District Court and sent to Prisoner Accounts
Receivable, U.S. District Court, 450 Golden Gate Avenue, Box 36060,
San Francisco, CA 94102.

25 cc: Plaintiff/Petitioner
26 Finance Office
27
28

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

PAUL E STELLY SR,
Plaintiff,

Case Number: CV08-01997 CW

CERTIFICATE OF SERVICE

v.

ELAINE TOOTELL et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 20, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Paul Erias Stelly F86444
San Quentin State Prison
San Quentin, CA 94974

Dated: May 20, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk